

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID APPLESTEIN, *et al.*,

No. C-10-0998 EMC

Plaintiffs,

**ORDER GRANTING LEAD
PLAINTIFF'S MOTION FOR
EXTENSION OF TIME**

v.

MEDIVATION, INC., *et al.*,

(Docket No. 132)

Defendants.

Lead Plaintiff has asked for an extension of forty-five days to file its second amended complaint. Defendants have opposed an extension of any kind. Having considered the parties' briefs and accompanying submissions, the Court hereby **GRANTS** Lead Plaintiff's motion.

As a preliminary matter, the Court notes that its calendar is not directly impacted by Lead Plaintiff's request. Thus, the fact that the request was not made fourteen days before the deadline for the filing of the amended complaint is inconsequential. *See* Civ. L.R. 6-1(b). As for Defendants' other arguments, while they are not without any merit, the Court is not persuaded that they justify a denial of Plaintiff's motion. Obtaining information from Russia could well take more than thirty days. Moreover, the prejudice is fairly obvious, even if not stated outright: Lead Plaintiff would not be able to plead allegations to cure the deficiencies identified by the Court and thus there would be a dismissal with prejudice.

///

///

///

1 Accordingly, Lead Plaintiff's request for a forty-five-day extension is granted..

2 This order disposes of Docket No. 132

3 IT IS SO ORDERED.

4
5 Dated: September 16, 2011



EDWARD M. CHEN
United States District Judge